REMARKS

Claims 1-4 and 7-10 have been rejected under 35 USC 112, first paragraph, because the Examiner does not believe the specification enables the claimed methods. Independent claim 1 has been amended to specify that MAPG is used for the treatment of IDDM. In the last Office Action, the Examiner stated that the specification is enabling for treating IDDM with MAPG (see Office Action, paragraph 7 as now claimed). Accordingly, the rejection of claim 1 should be withdrawn. Claims 2-27 have been cancelled. The rejection of claims 8-10, which depend from claim 1, should also be withdrawn.

Claims 7-9 stand rejected under 35 USC 112, second paragraph as being indefinite. The Examiner found the language "a component thereof" or "its components" in these two claims indefinite because she cannot determine the scope of this language. Claim 7 has been cancelled. Claim 9 has been amended to depend from claim 1, and has been amended to clarify that the component is a component of MAPG. Accordingly, this rejection should be withdrawn.

The Examiner also found the recitation of "mycolic of acids" in claim 8 confusing. This is a typographical error. Claim 8 has been amended to claim administering one or more "mycolic acids".

Claims 1-3, 7 and 10 stand rejected under 35 USC 102(b) as being anticipated by Stanford. This rejection is respectfully traversed. Claim 4 is not included in this rejection. Claim 1 has been amended to claim a method of treating IDDM as recited in claim 4. Stanford only discusses methods of treating adjuvant arthritis. Accordingly, Stanford does not anticipate claim 1 as amended. Claim 10, which depends from claim 1, should be allowed for at least the same reason. Further the compound described by Stanford is acetone extracted water soluble material. This extract is very different from MAPG, which is a water insoluble component of the cell wall of BCG. Finally the process for extracting the MAPG precipitate involves washing the material with acetone. The acetone is then discarded together with any acetone soluble material. Thus Stanford fails to anticipate either claim 1 or claim 10.

Claims 1-4 stand rejected under 35 USC 102(a) as being anticipated by Stosic-Grujicic. Claim 7 is not included in this rejection. Stosic-Grujicic claim to prevent diabetes in a chemically induced model of diabetes. However, mice are considered diabetic when their blood glucose is >11.1 mMol (Hammond *et al* J. Exp Med. 187:1047. 1998). Using this criteria, animals with streptozotocin and either TMD or PPD become diabetic within 14 days of treatment. Thus as TMD or PPD fail to prevent diabetes. Claims 1-4 fail to be anticipated by

Stosic-Grujicic. Further independent claim 1 has been amended to specify that the cell wall components comprise MAPG as recited in claim 7. Stosic-Grujicic only discuss treatments using TDM and PPD, not MAPG as claimed. Accordingly, claim 1 should be allowed. Claims 2-4 have been cancelled.

Claims 1 and 10 stand rejected under 35 USC 103(a) as being unpatentable over Stosic-Grujicic. As discussed above, Stosic-Grujicic only discuss treatments using TDM and PPD, not MAPG as now claimed in claim 1. Accordingly, claim 1 should be allowed. Claim 10, which depends from claim 1, should be allowed for at least the same reason.

For the foregoing reasons, early action allowing the claims in this application is solicited. In the event that the transmittal letter is separated from this document and the Patent and Trademark Office determines that an extension and/or other relief is required, applicant petitions for any required relief including extensions of time and authorizes the Commissioner to charge the cost of such petitions and/or other fees due in connection with the filing of this document to **Deposit Account No. 03-1952** referencing docket no. 229752000600.

Respectfully submitted,

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